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OFFICE OF PETITION
AND APPEALS

In re Application of
Martin and LeBlanc
Application No. 08/481,169
Filed: June 7, 1995
For: Multiple Lumen Catheter

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: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

Papers filed December 5, 1995 in response to a "Notice to File Missing Parts of Application Filing Date Granted," mailed August 2, 1995, included:

(1) a Declaration signed by Geoffrey Martin which is taken as a declaration signed by Mr. Martin on behalf of himself and the non-signing inventor LeBlanc in compliance with 37 CFR 1.63;

(2) a declaration of facts of Christopher Scott stating that on October 20, 1995 a copy of the application was sent to Mr. LeBlanc as shown in the letter attached thereto and providing proof that Mr. LeBlanc orally informed him that he would not sign the declaration;

(4) a copy of the Notice to File Missing Parts and the surcharge;

(5) a petition for a three month extension of time and fee; and

(6) authorization to charge deposit account No. 18-1840 any required fees.

The papers filed December 1, 1995 have been treated as a petition under 37 CFR 1.47(a). Accordingly, the required \$130.00 petition fee has been charged to deposit account No. 18-1840.

Applicant has shown that the joint inventor LeBlanc was presented with the application papers, but refused to sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This

application is hereby accorded Rule 1.47(a) status and Application Branch is authorized to:

- (1) accept this application under Rule 1.47(a);
- (2) process the application with the inventors being Martin and LeBlanc, using the Declaration filed on December 1, 1995; and
- (3) mail a filing receipt with a filing date of June 7, 1995.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to non-signing inventor LeBlanc at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

Karin Tyson

Karin Tyson
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects